

EXHIBIT A

PLAINTIFF'S PROPOSED STATEMENT OF THE CASE:

Plaintiff Owen Diaz was employed by Defendant Tesla, Inc. from June 2015 to March 2016. He brought a lawsuit against Tesla alleging violations of state and federal law. In a previous trial, it was conclusively determined that Tesla is liable to Mr. Diaz for: (1) intentionally creating a hostile work environment based on race, (2) intentionally failing to prevent racial harassment in violation of federal law, and (3) negligently retaining and supervising one or more of Mr. Diaz's supervisors in violation of California state law.

As a result of these previous determinations of Tesla's liability, Mr. Diaz is entitled to recover from Tesla his past and future non-economic damages, in amounts you will be instructed to determine.

It was also conclusively determined in the previous trial that Tesla's unlawful conduct was conducted with malice, oppression, or in reckless disregard of Mr. Diaz's rights. As a result of those previous determinations, which were based on Tesla's conduct in creating a hostile work environment based on race, violating Mr. Diaz's civil rights pursuant to a contractual relationship, and/or failing to prevent harassment in the workplace based on Mr. Diaz's race, Mr. Diaz is also entitled to recover punitive damages from Tesla.

Tesla's liability in this case has already been determined. You are not permitted to question these findings. Your task, based on the more specific instructions the Court will deliver later in this case, is first to determine the amount of past and future non-economic damages needed to compensate Owen Diaz for the harm that he suffered and will continue to suffer; and second, to determine the appropriate amount of punitive damages necessary to punish and deter Tesla for the harm it caused to Mr. Diaz.